

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

CHARLES DANIEL SMITH,

Plaintiff,

v.

CHARTER COMMUNICATIONS,
INC.,

Defendant.

Case No. 1:18-cv-00069-SPW

ORDER

The parties have submitted a number of deposition excerpts in advance of trial (Doc. 100-2). This order sets forth the Court's ruling on the objections in those excerpts.

A. Thomas Gabel Deposition – September 13, 2019.

Smith's Objections to Charters Designations:

1. 9:22-10:7- overruled
2. 15:18-16:4 – sustained for the reasons stated in the objection
3. 16:11-12 - sustained for the reasons stated in the objection
4. 18:20-19:16 - sustained for the reasons stated in the objection
5. 19:19-20:22 - sustained for the reasons stated in the objection
6. 26:20-27:17 – overruled – this ruling does not mean Depo. Exhibit 49

is admissible

7. 27:22-28:1 – overruled
8. 28:12-29:3 – overruled
9. 30:15-24 – overruled
10. 31:5-14 – overruled
11. 31:17-32:10 - sustained for the reasons stated in the objection
12. 33:4-34:10 - sustained for the reasons stated in the objection
13. 34:12-23 - sustained for the reasons stated in the objection
14. 35:4-36:12 – sustained for 35:4-6; overruled for 35:7-36:12 for the
reasons stated in the objection
15. 36:15-37:15 – overruled, provided Charter can tie the low morale to
the travel requirement of December 2017
16. 38:4 - sustained for the reasons stated in the objection
17. 38:6-19 – overruled, provided Charter can tie the low morale to the
travel requirement of December 2017
18. 39:2-40:18 – overruled
19. 41:6-9 – sustained
20. 41:14-42:11 – overruled
21. 42:15-17 – overruled

22. 42:19-21 – overruled
23. 42:23-45:8 – 44:1-2 sustained; 44:18-24 and 45:1-8 – sustained;
remainder – overruled
24. 45:10-46:13 – sustained – no indication this discussion is limited to
December 2017
25. 13:19-15:8 – sustained (Doc. 112)

Charter's Objections to Smith's Designations:

1. 50:8-16 – sustained – for the reasons stated in the objection
2. 51:20-23 - sustained for the reasons stated in the objection
3. 52:10-18 - sustained for the reasons stated in the objection; also,
question is not limited to the December 2017 timeframe
4. 53:14-18 - sustained for the reasons stated in the objection

B. Walt Jones's Deposition – September 4, 2019

Smith's Objections – Doc. 112

1. 29:14-23 – sustained
2. 30:1-21 – sustained

Charter's Objections – Doc. 85

1. 17:4-9 – overruled
2. 41:14-42:6 - sustained

DATED this 21st day of January, 2025.

Susan P. Watters
SUSAN P. WATTERS
United States District Court Judge